

IV. Remarks

Responsive to the outstanding Examiner's Action, applicant has carefully studied the references cited by the Examiner and the Examiner's comments relative thereto. Favorable reconsideration of this application is respectfully requested in light of the above amendments and the following detailed discussion.

Applicant has requested that the specification be corrected in two places. Specifically, applicant has requested that the figures referred to in line 16, page 9 be amended to properly correspond with the components discussed in that paragraph. Additionally, the paragraph beginning on page 11, line 21 is requested to be broken into two paragraphs as shown above.

Claims 1-20 are pending in the application. Claims 1, 2, 4, 5, 6, 8, 9, 12, 13, 18, 19 and 20 have been amended. No new matter has been added with the amendments. Claim 3 is requested to be cancelled.

Referring now to page 2 of the Examiner's Office Action titled "Detailed Action," the Examiner has rejected claims 3-9, 13 and 19 under 35 USC 112, second paragraph, as being indefinite. Specifically, claims 3-9 were rejected as the Examiner indicated that the strip has legs is unclear. The Examiner suggested that the claims must define the legs as being a cross sectional shape of the strip of material.

Applicant appreciates the Examiner's suggested amendment and the amendment has been incorporated into each of the newly amended independent claims. With the incorporation of the amendment into the independent claims, and the cancellation of claim 3, applicant respectfully submits that the rejection of claims 3-9 has been overcome.

The Examiner also indicated that claim 13 contradicts claim 12 since claim 13 recites bending the strip by an automated process and claim 12 recites bending the strip by a manual process. The dependencies of claim 12 and claim 13 have been amended to claim 2 to overcome the rejection.

Claim 19 was rejected since “said at least one aperture” lacked proper antecedent basis. Claim 19 has been amended to overcome the rejection.

Claims 1 and 20 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 3,369,378 (“the ‘378 patent”). Claims 1 and 20 have both been amended to overcome the Examiner’s rejection.

Claims 1 and 20 now require that the strip have a cross-sectional shape with a first leg and a second leg perpendicular to the first leg. In the Office Action, the Examiner has indicated that snap ring 40 teaches the strip of claims 1 and 20. It is noted that in column 4, lines 9-15 of the ‘378 patent the snap ring 40 has a pair of legs 40A “extending radially inward from the circumferentially spaced ends thereof.” (emphasis added).

Applicant submits that the snap ring does not teach the strip, however, assuming *arguendo* that it does, the legs of snap ring 40 are not perpendicular to each other as required by newly amended claims 1 and 20.

Newly amended claims 1 and 20 also require locating a plurality of fasteners through the first leg and into the bearing device and deforming selected portions of the second leg into slots spaced about the bearing devices to secure the strip to the bearing device. The ‘378 patent is silent regarding the use of a plurality of fasteners or deforming selected portions of the second leg into slots about the bearing devices.

In light of the amendments to claims 1 and 20, the '378 reference does not teach the limitations of the either claim and, therefore, it is respectfully submitted the claims are believed to now be patentable over the '378 reference.

Claims 1-5, 9-11, 14, 15, 17, 18 and 20 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,182,579 ("the '579 patent"). It is respectfully submitted that newly amended independent claims 1, 2 and 20 overcome the teachings of the '579 patent for the following reasons.

Newly amended claims 1, 2 and 20 each now require the step of locating a plurality of fasteners through the first leg and into the bearing device. The '579 patent is silent regarding locating a plurality of fasteners through the first leg and into the bearing device. Therefore, it is believed the addition of this limitation to claims 1, 2 and 20 renders each of these claims patentable over the '579 patent.

With respect to the Examiner's comment on originally filed claim 18, applicant respectfully disagrees with the Examiner that a separate mechanical fastener and a strip of metal are both taught by the '579 reference. Nevertheless, in light of newly amended claim 2, on which amended claim 18 indirectly depends, the '579 patent does not teach a plurality of mechanical fasteners.

Newly amended claims 1, 2 and 20 also now require that selected portions of the second leg are deformed into slots spaced about the bearing device. In a 35 USC 103(a) rejection on paragraph 8 on page 5 of the Office Action, the Examiner noted that the second leg 48 in the '579 patent is radially deformed outwardly into a slot formed in the carrier 12. Although the 103(a) rejection was not directed to claims 1, 2 or 20, applicant wishes to emphasize that the '579 patent does not teach deforming selected portions of

the second leg into slots spaced about the bearing device. Instead, the '579 patent teaches an annular groove 22 in which leg 40 is inserted entirely around tubular member. In light of the above, the '579 patent does not teach that selected portions of the second leg are deformed into slots spaced about the bearing device as required by claims 1, 2, and 20.

In light of the above discussion, newly amended claims 1, 2 and 20 appear to be patentable. Furthermore, claims 3-5, 9-11, 14, 15, 17, and 18 each depend on claims 1, 2 or 20, either directly or indirectly, and contain all of the limitations thereof. Therefore, because claims 1, 2, and 20 appear to be patentable and claims 3-5, 9-11, 14, 15, 17, and 18 depend on claims 1, 2 or 20, claims 3-5, 9-11, 14, 15, 17, and 18 are patentable over the '579 patent.

Applicant acknowledges the Examiner's rejection of claims 12 and 13 under 35 USC 102(b) as being anticipated by, or in the alternative, under 35 USC 103(a) as obvious under McCormick, the Examiner's rejection of claims 6-8 as being rejected under 35 USC 103(a) as being unpatentable over McCormick in view of Hall, the Examiner's rejection of claim 16 under 35 USC 103(a) as being unpatentable over McCormick, and the Examiner's rejection of claim 19 under 35 USC 103(a) as being unpatentable over McCormick in view of Leister. In light of the amendments to independent claim 2 and remarks directed thereto, however, it is respectfully submitted that claim 2 and the claims which depend therefrom are now patentable.

In view of the above arguments, applicant believes the claims of record now define patentable subject matter over the art of record. Therefore, the application appears to be in condition for allowance. Accordingly, an early Notice of Allowance is respectfully requested.

Should the Examiner wish to modify any of the language of the claims, applicant's attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,

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